

09/419,752

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support each rejected claim to comply with the requirement of 35 U.S.C. 101 according to the teaching of MPEP.

- (2) Why the rejected claims, each amended according to the conclusion of previous interview between the examiner and the applicant, suppose to be adequate to comply with the requirement of 35 U.S.C. 101 are now subject to rejection under the same ground after the agreed amendment had been made?
- (3) Why the examination process was not conducted according to the requirements of MPEP, particularly related to the requirements to consider each rejected claim as a whole; and the requirement of the MPEP to clear a claim from the rejection of 35 U.S.C. 101 when practical application of useful, concrete and tangible results are identified in the recitation of each rejected claim?

Listed below is a quotation of MPEP 707.07:

"Completeness and Clarity of Examiner's Action.... The examiner's action should be complete to ALL matters...."

Listed below is a quotation of 37 C.F.R. 1.104(b) :

"Completeness of examiner's action....The examiner's action will be complete as to ALL matters....."

Since the important limitations recited in each rejected claim, supposed to meet the requirements of MPEP to comply with the requirement of 35 U.S.C. 101 had been ignored, and no comment had been provided, the office action dated 04/18/2008 is incomplete and therefore premature, so as for the applicant to provide a proper response. Withdrawal of the final status of the office action dated 04/18/2008 is respectfully requested.

The following remark repeats the facts and legal stand points well supported with MPEP presented in the previous responses. The examiner is respectfully requested to fully reconsider each fact and legal stand point presented, and explain why each FACT supported with the quoted MPEP or Guideline issued by the USPTO is not proper to overcome the ground of rejection under 35 U.S.C. 101.